

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA**

In re

Case No. 06-30689-WRS
Chapter 7

FRANCHESTER HENDERSON,

Debtor

A & M FURNITURE MART INC.,

Plaintiff

Adv. Pro. No. 06-3089-WRS

v.

FRANCHESTER HENDERSON,

Defendant

MEMORANDUM DECISION

This Adversary Proceeding came before the Court for trial on January 29, 2007. Plaintiff A&M Furniture Mart, Inc., was present by counsel Richard C. Dean, Jr. No appearance was made for Defendant Franchester Henderson. Dean made a proffer of facts on the record and requested that judgment be entered in favor of A&M pursuant to 11 U.S.C. § 523(a)(2), excepting the indebtedness to A&M for fraud.

Judgment will be entered accordingly by way of a separate document.

Done this 29th day of January, 2007.

/s/ William R. Sawyer
United States Bankruptcy Judge

c: Richard C. Dean Jr., Attorney for Plaintiff
George N. Babakitis, Attorney for Debtor
Franchester Henderson, Defendant